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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:)	
)	Chapter 11
SIZMEK INC., <i>et al.</i> , ¹)	
)	Case No. 19-10971 (SMB)
)	
Debtors.)	(Jointly Administered)
)	
In re:)	Chapter 11
)	
SOLOMON ACQUISITION CORP.)	Case No. 19-13866 (SMB)
)	
Debtor.)	
)	

**AGENDA FOR HEARING TO BE HELD
DECEMBER 16, 2019 AT 2:00 P.M. (PREVAILING EASTERN TIME)**

Time and Date of Hearing: December 16, 2019 at 2:00 p.m. (ET)

Location of Hearing: U.S. Bankruptcy Court
Courtroom 723
One Bowling Green
New York, NY 10004

Copies of Motions and Applications: Copies of each pleading identified below can be viewed and/or obtained (i) from the Debtors' proposed claims and noticing agent, Stretto, at <https://cases.stretto.com/sizmek> or (ii) by accessing the Court's website at www.nysb.uscourts.gov.

¹ Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Sizmek Inc. (4624); Sizmek DSP, Inc. (2319); Point Roll, Inc. (3173); Sizmek Technologies, Inc. (6402); Wireless Artist LLC (0302); Wireless Developer, Inc. (9686); X Plus One Solutions, Inc. (8106); and X Plus Two Solutions, LLC (4914). The location of Debtors' service address for purposes of these chapter 11 cases is: Realization Services, Inc. Attn: Melanie Browne, P.O. Box 189, Bedford Hills, NY 10507.

A. Uncontested Matters.

- 1. Cash Collateral Motion.** Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 14].

Objection Deadline: November 28, 2019 at 4:00 p.m. (ET).

Responses Received:

- a. Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 193].

Related Documents:

- a. Declaration of Sascha Wittler, Chief Financial Officer of Sizmek Inc., (I) in Support of Chapter 11 Petitions and (II) Pursuant to Local Rule 1007-2 [Docket No. 13].
- b. Supplemental Declaration of Sascha Wittler, Chief Financial Officer of Sizmek Inc., (I) in Support of Chapter 11 Petitions and (II) Pursuant to Local Rule 1007-2 [Docket No. 54].
- c. Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001 [Docket No. 37].
- d. Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 104].
- e. Notice of Hearing [Docket No. 107].
- f. Certificate of No Objection Regarding Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 167].
- g. Third Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 172].
- h. Notice of Filing of Proposed Final Cash Collateral Order [Docket No. 200].
- i. Fourth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§

361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 239].

- j. Fifth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 270].
- k. Certificate of No Objection Regarding Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 319].
- l. Sixth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 329].
- m. Seventh Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 383].
- n. Eighth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 388].
- o. Notice of Hearing on Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 392].
- p. Ninth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 403].
- q. Tenth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 449].
- r. Eleventh Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 467].
- s. Twelfth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§

361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 483].

- t. Thirteenth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 508].
- u. Fourteenth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 521].
- v. Fifteenth Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 545].
- w. Notice of Hearing on Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(B) [Docket No. 545].

Status: The parties have agreed to continue the final hearing until on or around January 7, 2020 at 10:00 a.m. Debtors intend to go forward seeking further interim relief and submit a consensual order at or following the December 16, 2019 hearing.

- 2. ASK Retention Application.** Debtors' Application for Entry of an Order Authorizing the Retention and Employment of ASK LLP as Special Counsel to Pursue Preference Actions, Effective *Nunc Pro Tunc* to November 4, 2019 [Docket No. 530].

Objection Deadline: December 10, 2019 at 4:00 p.m. (ET).

Responses Received:

- a. Debtors received informal comments from, and are in on-going discussions with, the Office of the United States Trustee.

Related Documents:

- a. Amended Notice of Hearing on Debtors' Application for Entry of an Order Authorizing the Retention and Employment of ASK LLP as Special Counsel to Pursue Preference Actions, Effective *Nunc Pro Tunc* to November 4, 2019 [Docket No. 547].

Status: Debtors received informal comments from, and are in on-going discussions with, the Office of the United States Trustee with respect to revisions to the form of order. Debtors plan to go forward and are working with the Office of the United States Trustee to present a revised, agreed form of order at or after the December 16, 2019 hearing under certification of counsel.

- 3. Solomon Joint Administration.** Motion for Entry of an Order Under Fed. R. Bankr. P. 1015(B) Authorizing Joint Administration and Granting Related Relief [Docket No. 548]; [Solomon Acquisition Corp. Docket No. 4].

Objection Deadline: December 16, 2019 at 10:00 a.m. (ET).

Responses Received: None.

Related Documents:

- b. Declaration of Barry Kasoff in Support of (I) Motion for an Order Under Fed. R. Bankr. P. 1015(B) Authorizing Joint Administration and Granting Related Relief and (II) Motion for an Order Under 11 U.S.C. § 105 Directing that Certain Orders in the Chapter 11 Cases of Sizmek Inc., et al. be Made Applicable to the Chapter 11 Case of Solomon Acquisition Corp. [Docket No. 550]; [Solomon Acquisition Corp. Docket No. 6].
- c. Order to Show Cause Scheduling Hearing on Shortened Notice for Debtors' (I) Motion for an Order Under Fed. R. Bankr. P. 1015(B) Authorizing Joint Administration and Granting Related Relief and (II) Motion for an Order Under 11 U.S.C. § 105 Directing that Certain Orders in the Chapter 11 Cases of Sizmek Inc., et al. be Made Applicable to the Chapter 11 Case of Solomon Acquisition Corp. [Solomon Acquisition Corp. Docket No. 7].

Status: This matter will be going forward.

- 4. Solomon Motion Directing Applicability of Sizmek Orders.** Motion for an Order Under 11 U.S.C. § 105 Directing that Certain Orders in the Chapter 11 Cases of Sizmek Inc., et al. be Made Applicable to the Chapter 11 Case of Solomon Acquisition Corp. [Docket No. 549]; [Solomon Acquisition Corp. Docket No. 5].

Objection Deadline: December 16, 2019 at 10:00 a.m. (ET).

Responses Received: None.

Related Documents:

- d. Declaration of Barry Kasoff in Support of (I) Motion for an Order Under Fed. R. Bankr. P. 1015(B) Authorizing Joint Administration and Granting Related Relief and (II) Motion for an Order Under 11 U.S.C. § 105 Directing that Certain Orders in the Chapter 11 Cases of Sizmek Inc., et al. be Made Applicable to the Chapter 11 Case of Solomon Acquisition Corp. [Docket No. 550]; [Solomon Acquisition Corp. Docket No. 6].
- e. Order to Show Cause Scheduling Hearing on Shortened Notice for Debtors' (I) Motion for an Order Under Fed. R. Bankr. P. 1015(B) Authorizing Joint Administration and Granting Related Relief and (II) Motion for an Order Under 11 U.S.C. § 105 Directing that Certain Orders in the Chapter 11 Cases of Sizmek Inc., et al. be Made Applicable to the Chapter 11 Case of Solomon Acquisition Corp. [Solomon Acquisition Corp. Docket No. 7].

Status: This matter will be going forward.

Dated: December 13, 2019
New York, NY

/s/ Steven J. Reisman

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